

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON; and STATE
OF OREGON,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity
as President of the United States;
EXECUTIVE OFFICE OF THE
PRESIDENT; UNITED STATES
DEPARTMENT OF JUSTICE; PAMELA
BONDI, in her official capacity as Attorney
General of the United States; UNITED
STATES DEPARTMENT OF
HOMELAND SECURITY; KRISTI
NOEM, in her official capacity as United
States Secretary of Homeland Security;
UNITED STATES DEPARTMENT OF
DEFENSE; PETE HEGSETH, in his official
capacity as Secretary of Defense;
DEPARTMENT OF GOVERNMENT
EFFICIENCY SERVICE; AMY
GLEASON, in her official capacity as
Acting DOGE Administrator; UNITED
STATES ELECTION ASSISTANCE
COMMISSION; DONALD L. PALMER, in
his official capacity as Chairman of the U.S.
Election Assistance Commission; THOMAS
HICKS, in his official capacity as Vice Chair
of the U.S. Election Assistance Commission;
CHRISTY McCORMICK and BENJAMIN
W. HOVLAND, in their official capacities as
Commissioners of the U.S. Election
Assistance Commission; BRIANNA
SCHLETZ, in her official capacity as
executive director of the U.S. Election

CASE NO. 2:25-cv-00602-JHC

**UNOPPOSED MOTION FOR LEAVE
TO FILE *AMICUS* BRIEF OF FORMER
REPUBLICAN MEMBERS OF
CONGRESS IN SUPPORT OF
WASHINGTON AND OREGON**

**NOTE FOR MOTION CALENDAR:
July 18, 2025**

Assistance Commission; FEDERAL
EMERGENCY MANAGEMENT
AGENCY; CAMERON HAMILTON, in his
official capacity as Senior Official
Performing the Duties of Federal emergency
Management Agency Administrator,

Defendants.

Proposed *Amici* parties move for leave to file an amicus brief in support of Washington and Oregon. In furtherance of the motion, Proposed Amici state as follows:

1. Proposed *Amici* are former Republican members of the House of Representatives and Senate who participated in the enactment of the Help America Vote Act of 2002, 52 U.S.C. § 20901 *et seq.*, and are therefore well-positioned to speak to the problems Congress sought to solve and the considerations of federalism and the separation of powers that culminated in the creation of the Election Assistance Commission (“EAC”).

2. This Court “ha[s] broad discretion to admit amicus briefing [. . .] to assist a case of general public interest.” *Sec. & Exch. Comm’n v. Bittrex Inc.*, No. 2:23-CV-00580-RSM, 2023 WL 4866373, at *1 (W.D. Wash. July 31, 2023) (granting leave to file where brief provides “assistance in framing the facts and law of this case”).

3. Amici do not take a position on the specific directives set forth in the Executive Order, but rather highlight that the President’s attempts to unilaterally regulate elections and direct the actions of the EAC are in tension with the text and structure of the Constitution and laws passed by Congress to *prevent* the federal government from injecting politics into state and local election administration.

4. The proposed amicus brief will assist the Court in its consideration of the pending litigation, because the proposed brief provides relevant context concerning the need for an independent, bipartisan, expert-driven commission and their perspective on why the President’s actions at issue here are antithetical to the structure, purpose, and history of the EAC.

5. Counsel for proposed *amici* have conferred with counsel for the parties. Plaintiffs and Defendants both consent to the request for leave to file.

6. A true and correct copy of the proposed brief has been submitted with this motion.

CONCLUSION

For the foregoing reasons, Proposed *Amici* parties request the Court grant the motion for leave to file the attached brief.

RESPECTFULLY SUBMITTED this July 18, 2025.

GOLDFARB & HUCK ROTH RIOJAS, PLLC

/s/ Christopher M. Huck

Christopher M. Huck, WSBA No. 34104
(huck@goldfarb-huck.com)

/s/ Kit W. Roth

Kit W. Roth, WSBA No. 33059
(roth@goldfarb-huck.com)

/s/ R. Omar Riojas

R. Omar Riojas, WSBA No. 35400
(riojas@goldfarb-huck.com)

/s/ Kimberlee L. Gunning

Kimberlee L. Gunning, WSBA No. 35366
(gunning@goldfarb-huck.com)

925 Fourth Avenue, Suite 3950
Seattle, Washington 98104
Telephone: (206) 452-0260

PROTECT DEMOCRACY PROJECT

/s/ Beau C. Tremiere

Beau C. Tremiere, *Pro Hac Vice Forthcoming*
(beau.tremiere@protectdemocracy.org)

/s/ Lauren E. Groth

Lauren E. Groth, *Pro Hac Vice Forthcoming*
(lauren.groth@protectdemocracy.org)

300 Center Dr, Suite G-251
Superior, Colorado 80027
Telephone: (202) 579-4582

*Attorneys for Senator Chuck Hagel,
Representative James Greenwood, and
Representative Christopher Shays*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system on July 18, 2025 and was served via the Court's CM/ECF system on all counsel of record.

DATED this July 18, 2025.

/s/ R. Omar Riojas
R. Omar Riojas, WSBA No. 35400